

**IDAHO CONTRACTORS BOARD**  
**Division of Occupational and Professional Licenses**  
P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 2/17/2021**

**BOARD MEMBERS PRESENT:** Michael Arrington - Chair  
Chris Jensen  
Justin (Jessee) Rosin  
Barry Alan Stearns

**BOARD MEMBERS ABSENT:** Todd B Webb

**DIVISION STAFF:** Russell Barron, Division Administrator  
Dawn Hall, Section Chief  
MiChell Bird, Section Chief  
Julie Eavenson, Licensing Group Manager  
Lori Peel, Investigative Unit Manager  
Nicholas Krema, General Counsel  
Eric Nelson, Board Prosecutor  
Greg Floyd, Financial Unit Manager  
Kim Aksamit, Board Specialist

**OTHERS PRESENT:** Scott Collins

The meeting was called to order at 10:00 AM MST by Michael Arrington.

**APPROVAL OF MINUTES**

Mr. Stearns made a motion to approve the minutes of December 8, 2020. It was seconded by Mr. Rosin. Motion carried.

**COMPLAINT MEMORANDUM**

Ms. Peel gave the investigative report, which is linked above.

**FOR BOARD DETERMINATION**

Mr. Stearns made a motion to close case numbers CON-2019-17; CON-2020-60; and CON-2019-335; CON-2020-138; CON-2020-166; CON-2020-219; CON-2020-241; CON-2020-248; and CON-2021-50. It was seconded by Mr. Rosin. Motion carried.

Mr. Stearns made a motion to approve the Division's recommendation and authorize closure with a warning letter in case numbers CON-2020-259 and CON-2020-179; CON-2020-185; and CON-2020-203. It was seconded by Mr. Rosin. Motion carried.

## **EXECUTIVE SESSION**

Mr. Jensen made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Stearns. The vote was: Mr. Jensen, aye; Mr. Stearns, aye; Mr. Arrington, aye; and Mr. Rosin, aye. Motion carried.

Mr. Stearns made a motion to come out of executive session. It was seconded by Mr. Rosin. Motion carried.

## **DISCIPLINE**

Mr. Nelson presented Stipulation and Consent Orders in case numbers CON-2020-70; CON-2020-88; and CON-2020-98. Mr. Rosin made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Stearns. Motion carried.

## **FINAL ORDER**

Mr. Nelson presented Findings of Fact, Conclusions of Law and Final Orders in case numbers CON-2020-67; CON-2020-78; CON-2020-80; CON-2020-83; and CON-2020-87. Mr. Rosin made a motion to approve the Final Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Stearns. Motion carried.

## **EXECUTIVE SESSION**

Mr. Jensen made a motion that the Board go into executive session under Idaho Code § 74-206(1)(f) to discuss pending or omit litigation with legal counsel. It was seconded by Mr. Stearns. The vote was: Mr. Jensen, aye; Mr. Stearns, aye; Mr. Arrington, aye; and Mr. Rosin, aye. Motion carried.

Mr. Stearns made a motion to come out of executive session. It was seconded by Mr. Rosin. Motion carried.

## **LAWS AND RULES**

Ms. Hall presented a legislative update.

She informed the Board that the Governor was requesting Boards ensure their rules would remain in effect even if the legislature did not pass the omnibus bill. Mr. Crema read the motion for the Board:

Mr. Jensen moved the following:

“Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of rule IDAPA 24 is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.

These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

The Governor has also found that the fees being imposed are justified and necessary to avoid immediate danger to the Board’s budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho’s constitutional requirement that it balance its budget.

Therefore, we are adopting this/these temporary fee rule(s) to be effective upon *sine die* of the 2021 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including sections 67-5291 and 67-5292, Idaho Code.”

It was seconded by Mr. Rosin. Motion carried.

## **FINANCIAL REPORT**

Mr. Floyd gave the financial report, which indicated that the Board had a cash balance of \$181,2000.36 as of January 31, 2021.

## **DIVISION BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **BOARD BUSINESS**

## **APPLICATIONS**

Mr. Stearns made a motion to approve the following for registration:

CRIST FRED	RCT-56558
ALLIANCE PAINTING PROFESSIONALS LLC	RCE-56885

It was seconded by Mr. Jensen. Motion carried.

**NEXT MEETING** was scheduled for April 21, 2021 10:00 AM MST.

## **ADJOURNMENT**

Mr. Stearns made a motion to adjourn the meeting at 10:42 AM. It was seconded by Mr. Jensen. Motion carried.

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Michael Arrington, Chair